

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

TELEPHONE: (503) 439-8778

INTELLECTUAL PROPERTY LAW  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CA 90025

FACSIMILE: (503) 439-6073

**FACSIMILE COVER SHEET****RECEIVED  
CENTRAL FAX CENTER****AUG 24 2006**Deliver to: Shawn S. An, USPTOArt Group: 2613Facsimile No.: 571-273-8300Date: August 24, 2006From: Paul A. Mendonsa, Reg. No. 42,879Our Docket No.: 4860P2739Number of pages 7 including this sheet.Application No.: 10/041,750Filing Date: 1/7/2002Docket Due Date(s): 10/20/2006

Enclosed are the following documents:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Amendment: <u>Response</u> ( <u>3</u> pgs)      | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( <u>    </u> pgs)                            | <input type="checkbox"/> Notice of Appeal   |
| <input type="checkbox"/> Application: <u>                                </u>       | <input type="checkbox"/> Petition for: <u>                                </u>    |
| ( <u>    </u> pgs) w/cover & abstract)  | <input type="checkbox"/> Request for Continued Examination (RCE)                  |
| <input type="checkbox"/> Assignment & Cover Sheet ( <u>    </u> pgs)                | <input type="checkbox"/> Reply Brief ( <u>    </u> pgs)                           |
| <input checked="" type="checkbox"/> Certificate of Facsimile                        | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Continued Prosecution Application (CPA)                    | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Declaration & POA ( <u>    </u> pgs)                       | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: <u>    </u> sheets, <u>    </u> figures          | <input type="checkbox"/> Response to Written Opinion ( <u>    </u> pgs)           |
| <input type="checkbox"/> Extension of Time: <u>                                </u> | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate)                  | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> IDS & PTO/SB/08 ( <u>    </u> pgs)                         | <input checked="" type="checkbox"/> Transmittal Letter                            |
| <input type="checkbox"/> Other <u>                                </u>              |   |

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

*Michelle Evans* 8/24/2006  
 Michelle Evans Date

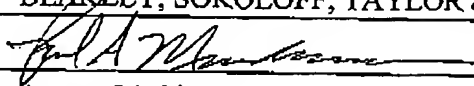
**Confidentiality Note:** The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.


If you do not receive all the pages, or if there is any difficulty in receiving, please call: (503) 439-8778 and ask for Michelle Evans.

RECEIVED  
CENTRAL FAX CENTER

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	10/041,750
		Filing Date	January 7, 2002
		First Named Inventor	Jason Klivington
		Art Unit	2613
		Examiner Name	Shawn S. An
Total Number of Pages in This Submission	7	Attorney Docket Number	4860P2739

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/05 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">         - Facsimile Cover Sheet       </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Paul A. Mendonsa, Reg. No. 42,879 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	August 24, 2006

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Michelle Evans	Date	August 24, 2006
Signature			

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 11/30/2005.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

RECEIVED  
CENTRAL FAX CENTER**FEE TRANSMITTAL  
for FY 2005**

Parent fees are subject to annual revision.

Complete if Known

AUG 24 2006

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)

0.00

Application Number

10/041,750

Filing Date

January 7, 2002

First Named Inventor

Jason Klivington

Examiner Name

Shawn S. An

Art Unit

2613

Attorney Docket No.

4860P2739

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☐ Credit any overpayments**FEE CALCULATION**

## Large Entity

## Small Entity

Fee  
Code (\$)Fee  
Code (\$)

Fee Description

Fee Paid

1051 130

2051 65

Surcharge - late filing fee or oath

1052 50

2052 25

Surcharge - late provisional filing fee or cover sheet.

2053 130

2053 130

Non-English specification

1251 120

2251 60

Extension for reply within first month

1252 450

2252 225

Extension for reply within second month

1253 1,020

2253 510

Extension for reply within third month

1254 1,590

2254 795

Extension for reply within fourth month

1255 2,160

2255 1,080

Extension for reply within fifth month

1401 500

2401 250

Notice of Appeal

1402 500

2402 250

Filing a brief in support of an appeal

1403 1,000

2403 500

Request for oral hearing

1451 1,510

2451 1,510

Petition to institute a public use proceeding

1460 130

2460 130

Petitions to the Commissioner

1807 50

1807 50

Processing fee under 37 CFR 1.17(q)

1806 180

1806 180

Submission of Information Disclosure Stmt

1809 790

1809 395

Filing a submission after final rejection (37 CFR § 1.129(a))

1810 790

2810 395

For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify) No Fees

0.00

SUBTOTAL (2)

(\$)

0.00

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Paul A. Mendonca

Registration No.  
(Attorney/Agent)

42,879

Telephone

(503) 439-8778

Signature



Date

08/24/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 12/13/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

RECEIVED  
CENTRAL FAX CENTER**FEE TRANSMITTAL  
for FY 2005**

Patent fees are subject to annual revision.

Complete if Known

Application Number 10/041,750

Filing Date January 7, 2002

First Named Inventor Jason Klivington

Examiner Name Shawn S. An

Art Unit 2613

Attorney Docket No. 4860P2739

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)

0.00

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.☐ Credit any overpayments**FEE CALCULATION**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) No Fees					0.00
SUBTOTAL (2)				(\$)	0.00

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Paul A. Mendonsa

Registration No.

42,879

Telephone

(503) 439-8778

Signature

Date

08/24/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wr) 12/15/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

RECEIVED  
CENTRAL FAX CENTER

AUG 24 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/041,750  
Applicant : Jason Klivington  
Filed : January 7, 2002  
TC/A.U. : 2613  
Examiner : An, Shawn S.

Confirmation No. 3969

Docket No. : 4860P2739  
Customer No. : 008791

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted  
to the United States Patent and Trademark Office at:

Box Issue Fee  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

571-273-8300  
*Michelle P. Lane*  
Signature Date 8/24/06

AMENDMENT UNDER 37 CFR 1.312

Sir:

This amendment is submitted in accordance with 37 C.F.R. § 1.312 after the  
mailing of a notice of allowance.

INTRODUCTORY COMMENTS

Claims 1-15 have been allowed, as indicated in the Notice of Allowance and  
Fee(s) Due mailed on July 20, 2006. Applicants propose to amend the specification, as  
set forth below. No claims amendments are proposed herein. Applicants respectfully  
request entry of this amendment prior to issuance.